
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 22, 2017.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

God of Unity and Creation, we pray today for our House membership and for its staff. We pray for Your spirit of concord and peace as today we recall the tragic event on this day in 1856 of the beating of a US Senator from Massachusetts, Charles Sumner.

Prayer.

The attack occurred on the Senate floor. Sumner was beaten over the head with a cane by a member of Congress, the nephew of South Carolina Senator Andrew Butler whose honor was tarnished in a passionate speech delivered by Sumner days earlier. Sumner, a strong supporter of abolition had denounced his fellow senator for his support of slavery during the debate over the admission of two new states, Nebraska and Kansas. It took Sumner over three years to return to his seat in the Senate. He then resumed his fierce opposition to slavery for the rest of his Senate career.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor (under Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to the release of a restriction on land in the city of Taunton (House, No. 3712), was filed in the office of the Clerk on Friday, May 19.

Taunton,—
land.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Resolutions.

Resolutions (filed with the Clerk by Mr. Linsky of Natick) congratulating Harrison Goldsmith on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules.

Harrison
Goldsmith.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communication.

A communication from the Special Commission on Pension Forfeiture (see Section 151 of Chapter 133 of the Acts of 2016, as amended by Section 19A of Chapter 5 of the Acts of 2017) submitting a report (containing recommendations of legislation) on pension forfeiture resulting from a review of the decision of the Supreme Judicial Court in *Public Employee Retirement Administration Commission v. Edward A. Bettencourt*, 474 Mass. 60 (2016) [for legislation recommended by said commission, see Senate, No. 2074, App. A], was placed on file.

Pension
forfeiture.

Petitions.

Representative Hunt of Sandwich and Senator deMacedo presented a joint petition (accompanied by bill, House, No. 3711) of Randy Hunt and Viriato M. deMacedo (by vote of the town) that the town of Sandwich be authorized to establish a betterments assessment fund for improvements to private ways; and the same was referred to the committee on Revenue. Sent to the Senate for concurrence.

Sandwich,—
private ways.

Mr. Schmid of Westport presented a petition (subject to Joint Rule 12) of Paul A. Schmid, III and others for legislation to establish a healthy soils program within the Department of Agricultural Resources to promote the use of regenerative agriculture within the food systems of the Commonwealth; and the same was referred, under Rule 24, to the committee on Rules.

Agriculture,—
healthy soil.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment, Natural Resources and Agriculture. Sent to the Senate for concurrence.

Mr. Cantwell of Marshfield presented a petition (subject to Joint Rule 12) of James M. Cantwell relative to the child custody jurisdiction and enforcement; and the same was referred, under Rule 24, to the committee on Rules.

Children,—
custody.

Papers from the Senate.

A Bill establishing a sick leave bank for Dean Canada, an employee of the Department of Correction (Senate, No. 2073) (on Senate bill No. 2048), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Dean
Canada,—
sick leave.

A report of the committee on Public Health, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1235) of Mark C. Montigny for legislation to protect hospital and community health center patients,— and recommending the same be referred to the committee on Consumer Protection and Professional Licensure,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Patients,—
protection.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2069) of Kevin J. Kuros (by vote of the town) for legislation to provide for recall elections in the town of Uxbridge. To the committee on Election Laws.

Uxbridge,—
recall
elections.

Petition (accompanied by bill, Senate, No. 2068) of John F. Keenan and Mark J. Cusack (with approval of the mayor and city council) for legislation to authorize the city known as the town of Braintree to continue the employment of Paul J. Shastany as chief of police. To the committee on Public Service.

Braintree,—
police chief.

A report of the Special Commission on Pension Forfeiture (pursuant to Section 151 of Chapter 133 of the Acts of 2016, as amended by Section 19A of Chapter 5 of the Acts of 2017) so much as relates to pension forfeiture (Senate, No. 2074, App. A), was referred, in concurrence, to the committee on Public Service.

Pension
forfeiture.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Paul R. Heroux and others for legislation to authorize the commissioner of the Department of Public Health to appoint a rare disease advisory council to coordinate statewide efforts for the study of the incidences of rare diseases within the Commonwealth. To the committee on Public Health.

Rare diseases,—
advisory
council.

Joint petition (accompanied by bill) of James J. O'Day and Harriette L. Chandler for legislation to establish a sick leave bank for Alison Dejordy, an employee of the Department of Children and Families. To the committee on Public Service.

Alison
Dejordy,—
sick leave.

Under suspension of the rules, on motion of Mr. O'Day of West Boylston, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the city of Somerville to borrow funds to pay certain costs of the Green Line Extension (Senate, No. 1139) [Local Approval Received], be scheduled for consideration by the House.

Somerville,—
Green Line
extension.

Under suspension of Rule 7A, on motion of Ms. Provost of Somerville, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill establishing an interscholastic athletic competition working group (House, No. 2035).

Interscholastic
athletics.

By the same member, for the same committee, on a petition, a Bill relative to education collaboratives (House, No. 2867).

Education
collaboratives.

By the same member, for the same committee, on a petition, a Bill to increase access to high quality summer learning opportunities (House, No. 2868).

Summer
learning.

By the same member, for the same committee, on House, Nos. 321 and 2870, a Bill relative to the school choice program (House, No. 2870).

School
choice.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a

Federal law,—
enforcement.

Bill relative to enforcing federal law (House, No. 3033).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Ms. Cronin of Easton, for the committee on the Judiciary, on a petition, a Bill limiting the use of prison labor (House, No. 3034). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Prison
labor.

Emergency Measures.

The engrossed Bill establishing a sick leave bank for Monica Bassila, an employee of the Department of Public Health (see House, No. 3462), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Monica
Bassila,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

The engrossed Bill establishing a sick leave bank for Elizabeth C. Cox, an employee of the Department of Public Health (see House, No. 3645, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Elizabeth
Cox,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Orders of the Day.

The House Bill designating a certain park in the town of Hingham as the Eugene F. Creedon Memorial Park (House, No. 3708), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Hingham,—
Creedon
Memorial
Park.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking out section 2; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith a certain park in the town of Hingham as the Eugene F. Creedon Memorial Park, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 3708, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

UNCORRECTED PROOF.

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At sixteen minutes after eleven o'clock A.M., on motion of Mrs. Poirier of North Attleborough (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.